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February 18, 2022

**VIA ECF**

The Honorable J. Paul Oetken  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *Tavarez v. Extract Labs, Inc.*; Case No. 1:21-cv-9916 (JPO)

Dear Judge Oetken:

We represent plaintiff Victoriano Tavarez (“Plaintiff”) in the above-referenced matter and respectfully write in response to defendant Extract Labs, Inc.’s (“Defendant”) motion to dismiss. *See* Docket Number 13. Per this Court’s Individual Rules and Practices Rule 3(D)(ii), Plaintiff intends to file an amended pleading in this action by or on February 28, 2022.

Respectfully submitted,  
/s/ William J. Downes  
William J. Downes, Esq.

Cc: All Counsel of Record (via ECF)